

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**BECKLEY DIVISION**

REGINALD KELLY,

Petitioner,

v.

CIVIL ACTION NO. 5:07-cv-00069  
(Criminal No. 2:02-cr-00271-01)

T.R. CRAIG,

Respondent.

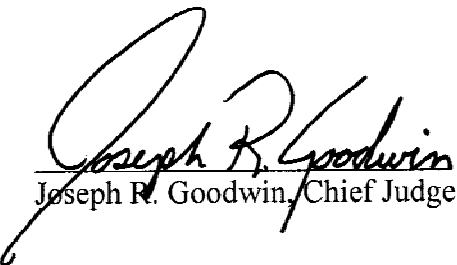
**ORDER**

Pending before the court is the petition for habeas corpus relief filed pursuant to 28 U.S.C. § 2241. This action was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The court has received the Proposed Findings and Recommendation of the Magistrate Judge [Docket 12]. Neither party has filed objections to the Proposed Findings and Recommendation.

After reviewing the Proposed Findings and Recommendation and the petitioner's motion, the court **ADOPTS** and **INCORPORATES** the findings and recommendation of Judge Stanley, **DENIES** the petitioner's motion as moot and **DISMISSES** this action from the docket of this court.

The court **DIRECTS** the Clerk to send a copy of this Order to the Magistrate Judge Stanley, counsel of record and any unrepresented party.

ENTER: August 14, 2008

  
Joseph R. Goodwin, Chief Judge